

## SUBSTITUTE DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **INTEGRATED NUCLEIC ACID DIAGNOSTIC DEVICE** the specification of which \_\_\_\_\_ is attached hereto or X was filed on January 19, 1996 as Application No. 08/589,027 and was amended on \_\_\_\_\_ (if applicable).

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

## Prior Foreign Application(s)

Country	Application No.	Date of Filing	Priority Claimed Under 35 USC 119
			Yes _____ No _____
			Yes _____ No _____

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/000,703	06/29/95
60/000,859	07/03/95

I claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112. I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application No.	Date of Filing	Status
		____ Patented ____ Pending ____ Abandoned
		____ Patented ____ Pending ____ Abandoned

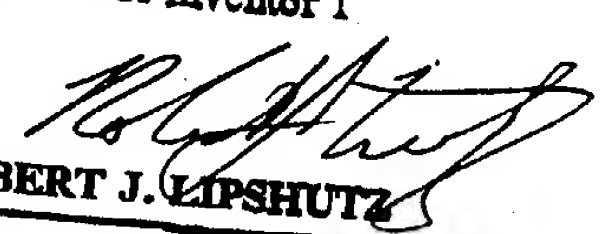
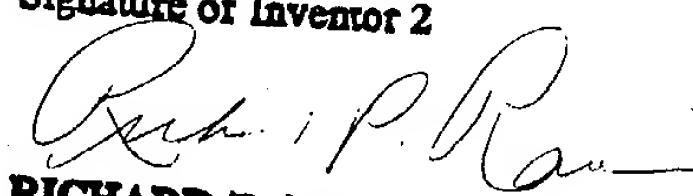
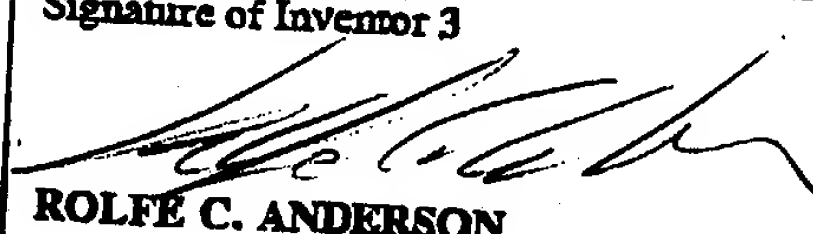
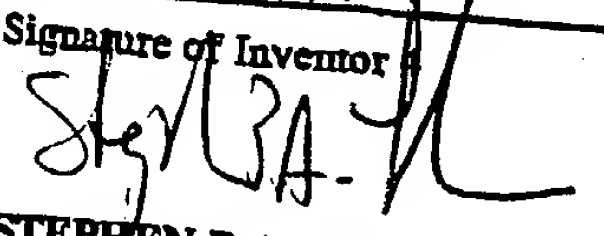
**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

William M. Smith, Reg. No. 30,223  
Joe Liebeschuetz, Reg. No. 37,505  
John R. Storella, Reg. No. 32,944  
Vernon A. Norviel, Reg. No. 32,483  
Nancy J. DeSantis, Reg. No. 37,608

Send Correspondence to: Joe Liebeschuetz, Esq. TOWNSEND and TOWNSEND and CREW Two Embarcadero Center, Eighth Floor San Francisco, CA 94111-3834	Direct Telephone Calls to: (Name, Reg. No., Telephone No.)  Name: Joe Liebeschuetz, Esq. Reg. No.: 37,505 Telephone: (650) 326-2400
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Full Name of Inventor 1	Last Name <b>LIPSHUTZ</b>	First Name <b>ROBERT</b>	Middle Name or Initial <b>J.</b>	
Residence & Citizenship	City <b>PALO ALTO</b>	State/Foreign Country <b>CALIFORNIA</b>	Country of Citizenship <b>U.S.A.</b>	
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Full Name of Inventor 2	Last Name <b>RAYA</b>	First Name <b>RICHARD</b>	Middle Name or Initial <b>P.</b>	
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Post Office Address	Post Office Address <b>338 LAKEVIEW WAY</b>	City <b>SAN JOSE</b>	State/Country <b>CALIFORNIA</b>	Zip Code <b>94062</b>
Full Name of Inventor 3	Last Name <b>ANDERSON</b>	First Name <b>ROLFE</b>	Middle Name or Initial <b>C.</b>	
Residence & Citizenship	City <i>Santa Clara Co</i> <b>MOUNTAIN VIEW</b>	State/Foreign Country <b>CALIFORNIA</b>	Country of Citizenship <b>U.S.A.</b>	
Post Office Address	<i>13670 Redwood Dr</i> Post Office Address <b>506 WINDMILL PARK LANE</b>	City <i>Santa Clara Co</i> <b>MOUNTAIN VIEW</b>	State/Country <b>CALIFORNIA</b>	Zip Code <i>95070</i> <b>94045 95070</b>
Full Name of Inventor 4	Last Name <b>FODOR</b>	First Name <b>STEPHEN</b>	Middle Name or Initial <b>P.A.</b>	
Residence & Citizenship	City <b>PALO ALTO</b>	State/Foreign Country <b>CALIFORNIA</b>	Country of Citizenship <b>U.S.A.</b>	
Post Office Address	Post Office Address <b>1120 PARKINSON</b>	City <b>PALO ALTO</b>	State/Country <b>CALIFORNIA</b>	Zip Code <b>94301</b>

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  <b>ROBERT J. LIPSHUTZ</b>	Signature of Inventor 2  <b>RICHARD P. RAYA</b>	Signature of Inventor 3  <b>ROLFE C. ANDERSON</b>
Date <i>6/1/98</i>	Date <i>5/27/98</i>	Date <i>5/28/98</i>
Signature of Inventor 4  <b>STEPHEN P.A. FODOR</b>		
Date <i>5-29-98</i>		

*5/29/98*

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			Yes <u>    </u> No <u>    </u>
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William M. Smith, Reg. No. 30,223  
Vernon A. Norviel, Reg. No. 32,483  
Matthew B. Murphy, Reg. No. P39,787

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**UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE OFFICE OF ENROLLMENT AND DISCIPLINE**

**LIMITED RECOGNITION UNDER 37 CFR §10.9(b)**

David R. Heckadon is hereby given limited recognition under 37 CFR §10.9(b), as an employee of the Townsend and Townsend and Crew, law firm, to prepare and prosecute patent applications and to represent patent applicants wherein the patent applicants are clients of the Townsend and Townsend and Crew law firm, and wherein a registered practitioner who is a member of the Townsend and Townsend and Crew law firm is the attorney or agent of record. This limited recognition shall expire on the date appearing below, or when whichever of the following events first occurs prior to the date appearing below: (i) David R. Heckadon ceases to lawfully reside in the United States; (ii) David R. Heckadon's employment with the Townsend and Townsend and Crew law firm ceases or is terminated; or (iii) David R. Heckadon ceases to remain or reside in the United States on an H-1B visa.

This document constitutes proof of such recognition. The original of this document is on file in the Office of Enrollment and Discipline of the U.S. Patent and Trademark Office.

**Expires: November 23, 2000**

  
Harry I. Moatz, Acting Director  
Office of Enrollment and Discipline